

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

(1) LISA WEST, and	)	
(2) STORMY HOPSON,	)	
Individually and as Class Representatives,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. CIV-16-00264-F
	)	
	)	(Removed Case No. CJ-2016-49
(1) ABC OIL COMPANY, INC.,	)	District Court of Pottawatomie
(2) BEREXCO, LLC,	)	County)
(3) CHAPARRAL ENERGY, LLC,	)	
(4) FAIRFIELD OIL & GAS CORP.,	)	
(5) GUINN COMPANY,	)	
(6) HEMBREE A. W. COMPANY,	)	
(7) LEASEHOLD MANAGEMENT CORP.,	)	
(8) NEW DOMINION, LLC,	)	
(9) NEWELL OIL AND GAS, LLC,	)	
(10) OKLA. OIL & GAS MANAGEMENT, INC.,	)	
(11) ONSHORE ROYALTIES, LLC,	)	
(12) PHOENIX OIL & GAS, INC.,	)	
(13) BILLY JACK SHARBER OPERATING, LLC,	)	
(14) SULLIVAN AND COMPANY, LLC, AND	)	
(15) TRANSP O ENERGY, LLC,	)	
	)	
Defendants.	)	

**PLAINTIFFS' SECOND NOTICE TO THE COURT**

Following on their earlier Notice to the Court [Doc. 326]<sup>1</sup> Plaintiffs hereby notify the Court of recent authority relevant to the issues currently presented by Defendants' Motions to Dismiss. State Judge Lori Walkley of Cleveland County, sitting as designated judge for

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<sup>1</sup> The April 25, 2018 Notice advised the Court that the Pawnee County court ruled that claims analogous to Plaintiffs' should not be dismissed except for possibly abnormally dangerous/ultrahazardous activities but gave plaintiff's leave to amend. The Court was also advised that two state cases have been stayed until September 9, 2018, in part, at the request of Defendants also named in this case, to allow the present case to develop. Payne County Judge Corley stayed Logan County case, *Griggs et al. v. New Dominion, LLC, et al.*, Case No. CJ-2017-174, and he also stayed Payne County case, *Reid et al. v. White Star Petroleum, LLC et al.*, Case No. CJ-2016-543.

recused Lincoln County judges, on May 18, 2018 certified a class action in the case of *Cooper v. New Dominion, LLC, et al.* (Case No. CJ-2015-24). See Order attached as Exhibit 1. This decision extends to the next step the earlier decision by that court to reject the Defendants' position that causation cannot be established and to reject the other arguments Defendants make for dismissal.

Respectfully submitted,

/s/Edward L. White

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-And-

/s/Ray Maples

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### **CERTIFICATE OF SERVICE**

This certifies that on June 27, 2018, I electronically transmitted the above document to the Clerk of the Court using the CM/ECF system for filing. Accordingly, a Notice of Electronic Filing will be automatically sent to counsel having entered an appearance in the case on behalf of a Defendant.

/s/Edward L. White